

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
ANDREW BAER et al.,	:	
	:	
Plaintiffs,	:	
	:	
-v-	:	22-CV-0994 (JMF)
	:	
DUFF & PHELPS, LLC,	:	
	:	
Defendant.	:	
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	:	
ATKINS INVESTMENT PARTNERSHIP et al.,	:	
	:	
Plaintiffs,	:	
	:	22-CV-1168 (JMF)
-v-	:	
	:	
DUFF & PHELPS, LLC,	:	<u>ORDER</u>
	:	
Defendant.	:	
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JESSE M. FURMAN, United States District Judge:

On February 3, 2022, Plaintiffs Andrew Baer et al. filed a complaint in 22-CV-994. On February 10, 2022, Plaintiffs Atkins Investment Partnership et al. filed a similar complaint in 22-CV-1168. On March 7, 2022, the Court directed the parties to address whether consolidation would be appropriate. *See* 22-CV-994, ECF No 11; 22-CV-1168, ECF No. 19.

Substantially for the reasons set forth by Defendant Duff & Phelps, LLC, in the parties’ joint letter, *see* 22-CV-994, ECF No. 14; 22-CV-1168, ECF No. 24 — namely, because the two actions involve common questions of law and fact — it is hereby ordered that, pursuant to Rule


42(a)(2) of the Federal Rules of Civil Procedure, the two cases are consolidated under the case number 22-CV-994. **All future filings shall be made on the 22-CV-994 docket only.**

It is further ORDERED that Plaintiffs shall file a consolidated complaint no later than **April 20, 2022**. Defendant shall answer or otherwise respond to the complaint no later than **May 20, 2022**. The initial pretrial conference currently scheduled for May 9, 2022, in both cases is ADJOURNED *sine die*.

The Clerk of Court is directed to consolidate 22-CV-994 and 22-CV-1168 under case number 22-CV-994, and to close 22-CV-1168. The Clerk of Court is further directed to terminate 22-CV-994, ECF No. 15, and 22-CV-1168, ECF Nos. 23 and 24.

SO ORDERED.

Dated: March 30, 2022
New York, New York



JESSE M. FURMAN
United States District Judge